

CHAPTER 199

SECURITY INSTITUTION FOR MENTALLY ILL PERSONS

S. F. 721

AN ACT relating to the establishment and operation of an institution for the diagnosis and treatment of persons suffering from mental illness requiring management and care in a security setting in place of the department of mentally ill at the men's reformatory.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. There is hereby established an institution for persons
2 displaying evidence of mental illness or psychosocial disorders and re-
3 quiring diagnostic services and treatment in a security setting. The
4 institution shall be under the jurisdiction of the board of control of
5 state institutions and shall be known as the Iowa security medical
6 facility.

1 SEC. 2. A superintendent of the Iowa medical facility shall be
2 appointed as designated in section two hundred eighteen point nine
3 (218.9) of the Code. The superintendent shall be a reputable and
4 qualified person experienced in the administration of programs for
5 the care and treatment of persons afflicted with mental disorders and
6 with such other qualifications as the board deems necessary.

1 SEC. 3. The superintendent shall:

2 1. Perform all duties required by law and by the state board of con-
3 trol not inconsistent with this Act.

4 2. Maintain cognizance of and secure the professional care and
5 treatment of each patient.

6 3. Maintain a complete record on the condition of each patient.

7 4. Retain custody of all patients in such manner as deemed neces-
8 sary and in the best interest of the patients subject to the regulations
9 of the board of control.

1 SEC. 4. Patients admitted to the facility may originate from the
2 following sources:

3 1. Residents of any institution under the jurisdiction of the board
4 of control.

5 2. Commitments by the courts as mentally incompetent to stand
6 trial under chapter seven hundred eighty-three (783) of the Code.

7 3. Referrals by the courts for psychosocial diagnosis and recommen-
8 dations as part of the pretrial or presentence procedure or determina-
9 tion of mental competency to stand trial.

10 4. Mentally ill prisoners from county and city jails for diagnosis,
11 evaluation, or treatment.

12 Patients from other sources may be admitted providing such admis-
13 sion is not inconsistent with the law and is within the capacity of the
14 facilities and staff to accommodate same.

1 SEC. 5. All admissions to the facility shall be by written applica-
2 tion only. Application shall be made by the head of the state institu-
3 tion, agency, governmental body, or court requesting same to the
4 superintendent of the facility. An application shall not be accepted
5 by the superintendent if by so doing the admission will result in an

6 overcrowded condition or if adequate staff or facilities are not avail-
7 able.

1 SEC. 6. The final decision regarding admission and discharge of
2 patients shall rest with the superintendent of the facility.

1 SEC. 7. When a patient transferred to the facility from any other
2 state institution or admitted by request or order of any agency, gov-
3 ernmental body, or court no longer requires special treatment in the
4 security setting, the patient may be returned to the source from which
5 received. The state institution, agency, governmental body, or court
6 that referred the patient for hospitalization shall retain constructive
7 jurisdiction over the patient. Patients without legal encumbrances
8 may be discharged directly from the facility upon concurrence of the
9 superintendent of the facility and the head of the referring institu-
10 tion, agency, governmental body, or court. The support, commitment,
11 and release statutes applicable to a patient at the state institution
12 from which transferred shall remain applicable while the person is a
13 patient at the facility.

1 SEC. 8. Chapter two hundred thirty (230) of the Code, shall gov-
2 ern the determination of the costs and charges for the care and treat-
3 ment of mentally ill patients admitted to the Iowa security medical
4 facility as direct civil commitments upon authorization of a county
5 hospitalization commission or persons having no legal settlement in
6 this state. The charge for the cost of other admittees shall be as
7 follows:

8 1. Transferees from mental health institutions under the jurisdic-
9 tion of the board of control shall be charged to the county or state at
10 a cost not to exceed that being billed counties or the state for other
11 patients at the transferring institution.

12 2. Referees by the courts for psychosocial diagnosis and recommen-
13 dations as part of the pretrial or presentence procedure or determina-
14 tion of competency to stand trial shall be charged to the court refer-
15 ring such persons.

16 3. Mentally ill prisoners from county or city jails admitted for diag-
17 nosis shall be charged to the county or city government so referring.

18 4. Commitments by the courts as mentally incompetent to stand
19 trial shall be charged to the court by which committed after twelve
20 (12) months of such commitment.

21 5. Commitments by the courts upon conviction in a county outside
22 the county of legal residence of the convicted person shall be consid-
23 ered a responsibility of the state.

24 6. Commitments of persons from other sources where admission is
25 not inconsistent with the law and is within the capacity of the facility
26 and staff to accommodate such person shall be charged to the court,
27 county, city, governmental body, or agency so referring.

28 7. Transferees from other institutions under the jurisdiction of the
29 board of control shall be considered a responsibility of the state.

1 SEC. 9. Section two hundred eighteen point one (218.1), Code
2 1966, is hereby amended by adding thereto the following subsection:
3 "Iowa Security Medical Facility".

1 SEC. 10. Section two hundred eighteen point nine (218.9), Code
2 1966, is hereby amended by inserting in line thirteen (13) after the
3 word "of" the words "the Iowa security medical facility,".

1 SEC. 11. Section two hundred eighteen point seventy-eight
2 (218.78), subsection one (1), Code 1966, is hereby amended by insert-
3 ing in line nine (9) after the word "penitentiary," the words "Iowa
4 security medical facility,".

1 SEC. 12. Section two hundred eighteen point ninety-two (218.92),
2 Code 1966, is hereby amended by striking from lines twelve (12),
3 thirteen (13) and fourteen (14) the words "hospital unit for the
4 mentally ill at the men's reformatory" and inserting in lieu thereof
5 the words "Iowa security medical facility".

1 SEC. 13. Section two hundred twenty-six point thirty (226.30),
2 Code 1966, is hereby amended by striking from lines eight (8) and
3 nine (9) the words "department for the mentally ill in the men's
4 reformatory" and inserting in lieu thereof the words "Iowa security
5 medical facility".

1 SEC. 14. Section two hundred forty-five point twelve (245.12),
2 Code 1966, is hereby amended by striking lines four (4) through nine
3 (9) and inserting in lieu thereof the following:

4 "mentally ill to be examined by one (1) of the superintendents or
5 his qualified designee of a state hospital for the mentally ill or trans-
6 ferred to the Iowa security medical facility for examination. If the
7 woman is found to be mentally ill, the board may order such woman
8 transferred to or retained at a state hospital or the Iowa security
9 medical facility where she shall".

1 SEC. 15. Section two hundred forty-six point fifteen (246.15),
2 Code 1966, is hereby repealed.

1 SEC. 16. Section two hundred forty-six point sixteen (246.16),
2 Code 1966, is hereby amended by striking all of such section after the
3 word "penitentiary" in line three (3) and inserting in lieu thereof the
4 following:

5 "or reformatory is mentally ill, the board may cause such prisoner
6 to be transferred to the Iowa security medical facility for examina-
7 tion, diagnosis, or treatment. The prisoner shall be confined at such
8 institution or a state hospital for the mentally ill until the expiration
9 of his sentence or until he is pronounced in good mental health. If the
10 prisoner is pronounced in good mental health before the expiration of
11 his sentence, he shall be returned to the penitentiary or reformatory
12 until the expiration of his sentence."

1 SEC. 17. Section two hundred forty-six point seventeen (246.17),
2 Code 1966, is hereby amended by striking from lines thirteen (13) and
3 fourteen (14) the words "department for the mentally ill at the men's
4 reformatory" and inserting in lieu thereof the words "Iowa security
5 medical facility".

1 SEC. 18. Section seven hundred eighty-three point three (783.3),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "department for the criminal insane at Anamosa"

4 and inserting in lieu thereof the words "Iowa security medical facil-
5 ity".

1 SEC. 19. Section seven hundred eighty-three point four (783.4),
2 Code 1966, is hereby amended by striking from lines one (1) and two
3 (2) the words "department for the criminal insane" and inserting in
4 lieu thereof the words "Iowa security medical facility".

1 SEC. 20. Section seven hundred eighty-three point five (783.5),
2 Code 1966, is hereby amended by striking from lines seven (7) and
3 eight (8) the words "department for the criminal insane at Anamosa"
4 and inserting in lieu thereof the words "Iowa security medical facil-
5 ity".

1 SEC. 21. Section seven hundred eighty-five point nineteen
2 (785.19), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "insanity" and inserting
4 in lieu thereof the words "mental illness".

5 2. By striking from lines seven (7) and eight (8) the words "the
6 insane hospital" and inserting in lieu thereof the words "one (1) of
7 the mental health institutes or the Iowa security medical facility".

8 3. By striking from lines eight (8) and nine (9) the words "he
9 becomes sane" and inserting in lieu thereof the words "he demon-
10 strates good mental health and is considered no longer dangerous to
11 the public peace and safety or to himself".

Approved July 25, 1967.

This Act was passed by the G. A. on, or after, July 1, 1967.

CHAPTER 200

STATE AID FOR MENTALLY ILL PERSONS

S. F. 385

AN ACT relating to state aid for the mentally ill and mentally retarded.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-seven point sixteen
2 (227.16), Code 1966, is hereby amended as follows:

3 1. By inserting in line six (6) after the word "hospitalization" in
4 lines five (5) and six (6) the following: ", or any mentally retarded
5 adult patient discharged or removed from the state hospital-schools
6 and cared for and supported by the county in the county home or else-
7 where outside a state institution for the mentally ill or mentally re-
8 tarded".

9 2. By striking from line seven (7) the word "three" and inserting
10 in lieu thereof the word "five (5)".

1 SEC. 2. Section two hundred twenty-seven point seventeen
2 (227.17), Code 1966, is hereby amended by striking from line nine